

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 18, 2005

Steven W. Benintendi, Reg. No. 56,297

Bygust (8, 2005

Applicants:

Bernd Thurau et al.

Serial No.:

10/785,550

Filed:

February 24, 2004

Group Art Unit:

3763

Examiner:

Unknown

Title:

Diaphragm-Based Reservoir for a Closed Blood Sampling System

Attorney Docket:

MDX-291US

Confirmation No.:

8154

Cincinnati, Ohio 45202

Date: August 18, 2005

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of candor and good faith imposed by 37 CFR §1.56 and means of complying therewith according to 37 CFR §§1.97 and 1.98, the references listed on the attached PTO-1449 are called to the attention of the United States Patent and Trademark Office in connection with the above-identified patent application. Copies of the cited references are enclosed herewith.

The Examiner is urged to consider the cited references and to make an independent decision with respect to their materiality.

Ref. A.L. (DE 4220301) is believed to be the German priority document to Ref. A.H. (EP 0575917).

Applicants believe that this communication is being mailed before a first action on the merits and, therefore, no fee is due. If this is not the case, the Commissioner is authorized to charge deposit account 23-3000 for any required fees.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

Steven W. Benintendi

Reg. No. 56,297

2700 Carew Tower 441 Vine Street Cincinnati, OH 45202 (513) 241-2324 K:\MDX\291US\supp ids.wpd

Sheet 1 (A) of 1

SUBSTITUTE FORM PTO-1449 (MODIFIED)							U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE						ATTY. DOCKET NO. / MDX-291US					SERIAL NO. 10/785,550		
INFORMATION DISCLOSURE													APPLICANT Bernd Thurau, et al.							
AU6 2 2 2005 Several sheets if							if ne	f necessary)					FILING DATE February 24, 2004					GROUP 3763		
U.S. PATENT DOCUM												ENTS								
EXAMINER INITIAL		PATEN					BER		ISSUE DATE		PATENTEE			CLASS		SUBC		ASS	FILING DATE IF APPROPRIATE	
	A.A																			
	A.B																			
	A.C																			
	A.D																			
	A.E																			
	A.F																			
	A.G																			
	A.H																			
	A.I																			
	A.J																			
	A.K																			
FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS																				
		DOCUMENT NUMBER						PU	JBLICATION DATE		COUNTRY OR PATENT OFFICE				CLASS SUBC				ss	TRANSLATION (YES/NO)
	A.L	4220301					7	4/21	1/1994	DE	DE									No
_	A.M	0575917					1	12/2	29/1993	EP	ЕР				_					Abstract Only
	A.N																			
	A.O																			
	A.P			***																
	A.Q											•								
OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)																				
	A.R																			
	A.S																			
	A.T																			
EXAMINER									DATE CONSIDERED											
EXAMINER: Include a copy	nitial if cit	ation	o cor	nside nex	erec	i, wh	ethe	er or	not in confort to applicant.	mance.	Draw line	throug	gh	citatio	n only i	f not ir	confor	ma	ince <u>ai</u>	nd not considered.
			-	_				_					_			S	hetitut	еΓ	isclos	ure Form (PTO-1449)